

HOUSE BILL No. 1571

DIGEST OF INTRODUCED BILL

Citations Affected: IC 35-50-2-3.

Synopsis: Penalties for murder. Provides that a person who was at least: (1) 16 years of age at the time the person committed murder may be sentenced to life imprisonment without parole; and (2) 18 years of age at the time the person committed murder may be sentenced to death or life imprisonment without parole. (Current law allows a person who was at least 16 years of age at the time the person committed murder to be sentenced to death or life imprisonment without parole.) Specifies that if a person: (1) was less than less than 18 years of age at the time the person committed murder; (2) was sentenced to death for committing the murder; and (3) is awaiting execution of the death sentence, the person's death sentence is commuted to a sentence of life imprisonment without parole.

Effective: July 1, 1999.

Crawford

January 21, 1999, read first time and referred to Committee on Courts and Criminal Code.



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Introduced

First Regular Session 111th General Assembly (1999)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 1998 General Assembly.

HOUSE BILL No. 1571

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 35-50-2-3 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 3. (a) A person who
3 commits murder shall be imprisoned for a fixed term of fifty-five (55)
4 years, with not more than ten (10) years added for aggravating
5 circumstances or not more than ten (10) years subtracted for mitigating
6 circumstances; in addition, the person may be fined not more than ten
7 thousand dollars (\$10,000).

8 (b) Notwithstanding subsection (a), a person who was at least:

9 (1) sixteen (16) years of age at the time the murder was
10 committed may be sentenced to ~~(1) death; or~~ (2) life
11 imprisonment without parole; **and**

12 (2) **eighteen (18) years of age at the time the murder was**
13 **committed may be sentenced to:**

14 (A) **death; or**

15 (B) **life imprisonment without parole;**

16 under section 9 of this chapter unless a court determines under
17 IC 35-36-9 that the person is a mentally retarded individual.

1999

IN 1571—LS 7019/DI 69+



1 SECTION 2. [EFFECTIVE JULY 1, 1999] (a) If a person:

2 (1) was less than eighteen (18) years of age at the time the
3 person committed murder;

4 (2) committed the murder before July 1, 1999, and was
5 sentenced to death for the murder; and

6 (3) is awaiting execution of the death sentence on July 1, 1999;
7 the person's death sentence shall be commuted to a sentence of life
8 imprisonment without parole.

9 (b) This SECTION expires July 1, 2004.

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